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In Re:

DARLENE AGATHA BARBELLA

Debtor.

Wells Fargo Bank, N.A.

Plaintiff,

v.

Darlene Agatha Barbella

Defendant.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Chapter 7 - 10-29883 (KCF)

Adv. Proc. No. - 10-2326 (KCF)

**ANSWER TO COMPLAINT FOR
DISCHARGEABILITY AND
COUNTERDCLAIM**

Darlene Agatha Barbella by way of answer to complaint says as follows:

2. Admitted.

7. Defendant admits as to claim; as to amount, the Plaintiff is left to their own proofs.

10. Denied. There were no false representations.

11. Defendant admits the retail charges; but not of these charges were cash advances or for luxury items.

12. Denied.

13. Denied.

14. Denied.

15. Denied.
16. Denied.
17. Denied.
18. Denied.
19. Denied.
21. Denied.

WHEREFORE, debtor requests that the complaint be dismissed.

COUNTERCLAIM

1. The position of the creditor in this matter is not substantially justified.

WHEREFORE, Debtor prays that this Court enter an Order:

1. Dismissing the complaint of Plaintiff, and declaring the debt in question dischargeable.
2. Awarding Debtor attorney's fees and costs, pursuant to 11 U.S.C. §523(d).
3. Awarding Debtor compensatory and punitive damages on her counterclaim.

/s/ William H. Oliver, Jr.
WILLIAM H. OLIVER, JR.
Attorney for Debtor/Defendant

Dated: December 21, 2010